

REMARKS

Please note the change in the Attorney Docket Number for this application.

Claims 1-29 are pending in this application. The Examiner entered a Restriction Requirement requesting the Applicants to elect between the inventions of claims 1-15, drawn to an assembly for use with an electro-acupuncture device, and claims 16-29, drawn to a nerve stimulation device. The Examiner also requested election between the porous and non-porous species of claims 1-15 if that is the elected invention.

Applicants elect with traverse to pursue the invention of claims 1-15 (a scrim assembly) and the species of claims 1-8 (a scrim assembly with a porous scrim). While the Applicants agree with the Examiner that the claims are patentably distinct, the Examiner has not satisfied the burden of showing that searching the plurality of inventions in a single search would present a hardship. According to the Examiner, all of the inventions are in Class 607, which means that a thorough search of Class 607 is needed to determine patentability and such a search would necessarily uncover references relevant to all of the inventions. Furthermore, the restriction between species is traversed because it would present no hardship to simultaneously search for both porous and non-porous scrims in Class 607, subclass 153 since the limitations are diametrically opposed.

No fees or requests for extension of time are believed to be due in connection with this paper. However, please consider this a request for any extension needed and charge any deficiency in fees to Deposit Account 01-0025.

Applicants respectfully request that the present application be favorably reconsidered and a Notice of Allowance be issued.

Respectfully submitted,
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